

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Case No. 7:22-cv-00032-FL

UNCW CORPORATION,

*Plaintiff,*

v.

WESTCHESTER SURPLUS LINES  
INSURANCE COMPANY and  
TRAVELERS INDEMNITY COMPANY,

*Defendants.*

**JOINT STIPULATION OF  
DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff UNCW Corporation (“UNCW”) along with Defendant Westchester Surplus Lines Insurance Company (“Westchester”), by and through their undersigned counsel, hereby stipulate to the dismissal of Westchester, only, from this civil action, with prejudice. This action shall continue as to UNCW’s claims against Travelers Indemnity Company (“Travelers”) and the defenses that Travelers has pleaded thereto.

UNCW and Westchester shall be responsible for their own attorneys’ fees and costs.

Respectfully submitted, this the 2<sup>nd</sup> day of May, 2023

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*Counsel for Defendant Travelers Indemnity  
Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record who have made an appearance in the above captioned case.

Dated: May 2, 2023

/s/ Henry L. Kitchin Jr.  
Henry L. Kitchin, Jr.